

Message Text

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ACTION EA-14

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FM AMEMBASSY TOKYO

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E.O. 11652: N/A

TAGS: CGEN, JA

SUBJECT: GOJ HIGH-LEVEL INTEREST IN MURDER OF JAPANESE CITIZEN

SUMMARY: FONOFF HAS BEEN ASKED BY OFFICE OF PRIMIN TANAKA TO MAKE REPRESENTATIONS TO USG CONCERNING COMPENSATION TO FAMILY OF JAPANESE CITIZEN WHO WAS MURDERED DURING ROBBERY ATTEMPT IN NEW ORLEANS IN SEPTEMBER 1973. END SUMMARY

1. FONOFF FIRST NORTH AMERICA DIV HEAD FUKADA INFORMED EMBOFF FEB 19 THAT OFFICE OF PRIMIN TANAKA IS TAKING INTEREST IN CASE OF JAPANESE CITIZEN WHO WAS MURDERED IN NEW ORLEANS IN 1973. FATHER OF VICTIM HAS WRITTEN TWICE TO PRIME MINISTER, AND LATTER HAS DIRECTED FONOFF TO MAKE REPRESENTATIONS TO BOTH EMBASSY TOKYO AND STATE DEPARTMENT (THROUGH JAPANESE EMBASSY WASHINGTON) TO DETERMINE IF SOME WAY EXISTS TO COMPENSATE VICTIM'S FAMILY. FUKADA SAID THAT FONOFF WILL SEND MESSAGE TO ITS EMBASSY ON THIS MATTER AND SUGGESTED THAT EMBASSY TOKYO MIGHT ALSO WISH TO PROVIDE ADVANCE NOTIFICATION TO DEPARTMENT.

2. FACTS OF CASE ARE ESSENTIALLY AS FOLLOWS.
JAPANESE CITIZEN YOSUKE YANO, SECOND SON OF YOSHIKATSU YANO, OF KOKURA, KITA KYUSHU CITY, JAPAN,
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WAS IN UNITED STATES TO STUDY ENGLISH. HE RESIDED

AT NEW ORLEANS LA. YMCA WHERE, ON 13 SEPT. 1973, HE WAS MURDERED DURING ROBBERY ATTEMPT BY THREE BLACKS. ACCORDING TO FUKADA, PERPETRATORS OF CRIME WERE IDENTIFIED AS HAVING RECENTLY ESCAPED FROM PRISON.

3. YANO FAMILY RECEIVED LETTER OF CONDOLENCE FROM MAYOR OF NEW ORLEANS BUT BELIEVES IT IS ENTITLED TO FURTHER COMPENSATION. FATHER FIRST ATTEMPTED TO SEEK COMPENSATION FROM NEW ORLEANS AUTHORITIES, BUT THEY DID NOT RESPOND TO HIS SATISFACTION. FATHER NEXT CONSIDERED PRESSING CASE IN COURTS BUT WAS INFORMED BY LAWYERS THAT THIS PROCEDURE WOULD BE EXPENSIVE AND HELD OUT NO CERTAIN HOPE OF ULTIMATELY RECEIVING COMPENSATION. IN WRITING TO PRIMIN TANAKA, FATHER EXPRESSED VIEW THAT PRISON AUTHORITIES SHOULD BE HELD RESPONSIBLE FOR HAVING PERMITTED CRIMINALS TO ESCAPE AND THEREBY MAKING POSSIBLE ASSAULT ON HIS SON.

4. FUKADA EXPLAINED TO EMBOFF THAT INTEREST TAKEN BY PRIME MINISTER CREATES NEW DIMENSION TO CASE FROM POINT OF VIEW OF FONOFF, WHICH IS OBLIGED TO FOLLOW UP EVEN THOUGH IT HAS NO CLEAR VIEW WHETHER COMPENSATION TO YANO FAMILY IS POSSIBLE UNDER AMERICAN LAW AND PRACTICE. IN ANY CASE, FUKADA ASKED THAT HIS REPRESENTATIONS BE CONVEYED TO DEPARTMENT. EMBOFF AGREED TO DO SO.

5. ACTION REQUESTED: AS INDICATED BY FUKADA, DEPARTMENT CAN EXPECT SIMILAR REPRESENTATIONS FROM JAPANESE EMBASSY WASHINGTON. WE WOULD APPRECIATE RECEIVING DEPARTMENT'S VIEW ON WHAT ACTIONS, IF ANY, U.S. FEDERAL AUTHORITIES COULD TAKE IN RESPONSE TO GOJ HIGH-LEVEL INTEREST.

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